## UNITED STATES DISTRICT COURT

## FOR THE WESTERN DISTRICT OF NORTH CAROLINA

## CHARLOTTE DIVISION

ELAINE L. CHAO,	)	
Secretary of Labor,	>	FILE NO.
United States Department of Labor,	)	
	)	3:05-CV-92-H
Plaintiff,	>	
	)	
v.	)	
	)	
EIC CONTRACTING and	)	
DISTRIBUTION, INC.,	)	
	)	
Defendant.	>	

## ORDER

THIS CAUSE came before the Court upon the Secretary of Labor's Notice of Dismissal Without Prejudice pursuant to Fed.R.Civ.P. 41(a)(1)(i).

THE COURT being otherwise fully advised in the premises, it is

ORDERED AND ADJUDGED that this case is DISMISSED WITHOUT PREJUDICE. The Clerk shall close this case and DENY any pending motions as MOOT.

DONE AND ORDERED this bh day of gm, 2005.

CARL HORN, III

U.S. Magistrate Judge

